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Dated: 3/12/04

Signature:

(Ronald E. Cahill)

Docket No.: 101360-0063
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Timothy J. Patrick et al.

Application No.: 10/714,586

Confirmation No.:

Filed: November 14, 2003

Art Unit: N/A

For: DRUG ELUTING BRACHYTHERAPY
METHODS AND APPARATUS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)). A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 141449, under Order No. 101360-0063.

Dated: 5/12/04

Respectfully submitted,

By 

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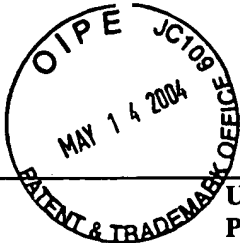
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U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO:
101360-63

APPLICATION NO:
10/714,586

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

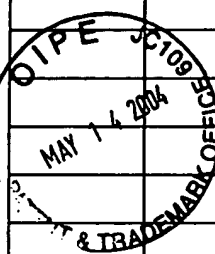
APPLICANT(S):
Timothy J. Patrick et al.

FILING DATE:
November 14, 2003

GROUP ART UNIT:
3762

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE*
		3	3	2	4	8	4	7	06/13/67	E.G. Zoumboulis	128	1.2	
		3	8	7	2	8	5	6	03/25/75	Clayton	128	1.2	
		4	4	1	7	5	7	6	11/29/83	Baran	128	207.15	
		4	7	0	6	6	5	2	11/17/87	Horowitz	128	1.2	
		4	7	5	4	7	4	5	07/05/88	Horowitz	128	1.2	
		4	7	6	3	6	4	2	08/16/88	Horowitz	128	1.2	
		4	8	2	1	7	2	5	04/18/89	Azam et al.	128	420 A	
		4	8	6	7	7	4	1	09/19/89	Portnoy	604	10	
		5	0	3	0	1	9	5	07/09/91	Nardi	600	7	
		5	0	8	4	0	0	1	01/28/92	Van't Hooft et al.	600	3	08/09/90
		5	0	8	4	0	1	5	01/28/92	Moriuchi	604	96	
		5	1	0	6	3	6	0	04/21/92	Ishiwara et al.	600	2	
		5	1	1	2	3	0	3	05/12/92	Pudenz et al.	604	49	
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		5	2	3	6	4	1	0	08/17/93	Granov et al.	600	12	
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		5	4	8	4	3	8	4	01/16/96	Fearnot	600	3	
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		5	6	1	1	7	6	7	03/18/97	Williams	600	2	
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		5	7	2	0	7	1	7	02/24/98	D'Andrea	604	21	01/24/97
		5	7	6	4	7	2	3	06/09/98	Weinberger et al.	378	65	
		5	7	8	2	7	4	2	07/21/98	Crocker et al.	600	3	
		5	7	8	5	6	8	8	07/28/98	Joshi et al.	604	141	
		5	9	9	3	3	7	4	10/30/99	Kick	600	8	
		6	0	3	6	6	3	1	03/14/00	McGrath et al.	600	3	
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		6	1	2	0	5	2	3	09/19/00	Crocker et al.	606	192	



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DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
2	1	0	5	2	0	1	✓	23.03.83	United Kingdom	A61N	1/06	n/a	
0	3	4	0	8	8	1	✓	08.11.89	EPO	A61N	5/10	n/a	
0	8	6	7	2	0	0	✓	30.09.98	EPO				
9	2	1	0	9	3	2		09.07.92	PCT	A61N	5/02	n/a	
9	3	0	9	7	2	4		27.05.93	PCT	A61B	17/36	n/a	
9	7	1	9	7	2	3	✓	05.06.97	PCT	A61N	5/00	n/a	
9	8	1	2	9	7	9	✓	02.04.98	PCT	A61B	19/00	n/a	
9	9	4	2	1	6	3	✓	26.08.99	PCT				
9	9	3	3	5	1	5	✓	08.07.99	PCT				
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	Ashpole, R.D. et al., "A New Technique of Brachytherapy for Malignant Gliomas with Caesium-137: A New Method Utilizing a Remote Afterloading System," <i>Clinical Oncology</i> , vol. 2, 333-7 (1990); ✓
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	Chun, M. <i>et al.</i> "Interstitial Iridium-192 Implantation for Malignant Brain Tumours. Part II: Clinical Experience," <i>The British Journal of Radiology</i> , vol. 62, 158-62 (1989); ✓
	Garfield, J. et al., "Postoperative Intracavitary Chemotherapy of Malignant Gliomas," <i>J. Neurosurg.</i> , vol. 39, 315-22 (September 1973); ✓
	Gutin, P. et al., "Brachytherapy of Recurrent Malignant Brain Tumors With Removable High-Activity Iodine-125 Sources," <i>J. Neurosurg.</i> , vol. 60, 61-8 (1984); ✓
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Examiner		Date Considered: *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant.



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